IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 2229 of 2005

Between:

Joint Action Committee of Recognised Schools Associations, Hyderabad and R.R.District, office at 2-3-33/A, Tulasinagar,
Golnaka Amberpet, Hyderabad, rep.by its Convenor - S. Sreenivasa Reddy, S/o. Late Chandra Redy, Aged 52 Years, R/o. Hyderabad.

..... PETITIONER

AND

1 The District Educational Officer, Housing board Complex, Besides Exhibition Grounds, Hyderabad.
2 The District Educational Officer, R.R.District, Office at District Collectors Complex, Lakdikapool, Hyderabad.
3 The Regional Joint Director of School Education, Hyderabad.
4 The Commissioner and Director of School Education, Hyderabad.
5 The Govt. of A.P., rep. by its Prl. Secretaty, School Education Department, Secretariat, Hyderabad.
6 The Management of Narayana Concepts School, rep. by its Director, Sri Narayana, Admn., Office at a.V.M.Towers,Besides Shiva Parvathi Teatre, Main Road, K.P.H.B. Colony, Kukatpally, Hyderabad.
7 The Managementof Ravindra Bharathi School, rep. by its Director Sri M.S.Mani, Besides Chandana Brothers, Dilsukhnagar, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to Issue an appropriate writ, order, or direction, more particularly one in the nature of writ of Mandamus, declaring the inactionon the part of the respondent Nos. 1 to 5 in preventing the managements of 6th 7th respondents in conducting talent tests etc., is

in violation of statutory provisions U/Section 20 of A.P. Education Act r/w Rule 4(1) (b) of A.P. Educational institutions under Private Management Rules, 1994 and consequently direct the respondent Nos. 1 to 5 to prevent the managements of 6th and 7th respondents and any other managements from conducting the said Talent tests scheduled to be held on 13.2.2005.

Counsel for the Petitioner: MR.K.RAM REDDY

Counsel for the Respondents: GP FOR SCHOOL EDUCATION

The Court at the admission stage made the following :

O R D E R:

The petitioner seeks a writ of Mandamus declaring the alleged inaction on the part of the respondents 1 to 5 in preventing the respondents 6 and 7 in conducting the talent tests, which is alleged to be in violation of Rule 4 (1) (b) of the Andhra Pradesh Educational Institutions under Private Management Rules, 1993, as arbitrary and illegal.

The petitioner-Committee states that they have already made representations on 05-02-2005 and 08-02-2005 bringing to the notice of the respondents 1 to 5 about the tests that are to be conducted by the respondents 6 and 7 and to take necessary action since it is not in conformity with the statutory Rules. The grievance of the petitioner-Committee is that the respondents 1 to 5 have not responded to the representation made by them.

Having heard the learned counsel for the petitioner and the learned Government Pleader appearing for the respondents, without expressing any opinion as to the correctness of the allegations made by the petitioner-Committee, the writ petition is disposed of with a direction to the respondents 1 to 5 to consider the representations of the petitioner-Committee dated 05-02-2005 and 08-02-2005 and to pass appropriate orders, in accordance with law, forth with. No costs.

(G. ROHINI, J)

Date: 10-02-2005

Note: Issue operative portion by wire at party's costs.

B/o

ghn

To

1 The District Educational Officer, Housing board Complex, Besides Exhibition Grounds, Hyderabad.
2 The District Educational Officer, R.R.District, Office at District Collectors Complex, Lakdikapool, Hyderabad.
3 The Regional Joint Director of School Education, Hyderabad.
4 The Commissioner and Director of School Education, Hyderabad.
5 The Principal Secretary, Govt. of A.P., School Education Department, Secretariat, Hyderabad.
6 The Director, Management of Narayana Concepts School, Sri Narayana, Admn., Office at a.V.M.Towers,Besides Shiva Parvathi Teatre, Main Road, K.P.H.B. Colony, Kukatpally, Hyderabad.
7 The Director, Managementof Ravindra Bharathi School, Sri M.S.Mani, Besides Chandana Brothers, Dilsukhnagar, Hyderabad.

8 Two CCs to the Government Pleader for School Education, High Court Buildings, Hyderabad.(O.U.T.)

9. Two CD copies.

THE HON'BLE MS. JUSTICE G.ROHINI

WRIT PETITION NO.2229 OF 2005

OPERATIVE PORTION (BY WIRE):

Having heard the learned counsel for the petitioner and the learned Government Pleader appearing for the respondents, without expressing any opinion as to the correctness of the allegations made by the petitioner-Committee, the writ petition is disposed of with a direction to the respondents 1 to 5 to consider the representation of the petitioner-Committee dated 05-02-2005 and 08-02-2005 and to pass appropriate orders, in accordance with law, forth with. No costs.

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(G.ROHINI, J)

Date: 10-02-2005

Note:

1. Issue wire at party's costs.
2. Please send the bundle to the Court Masters Section after dispatch of the wire order.

B/o

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